

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PETER ALLAN, SR.,

Case No. 17-CV-152 (NEB/LIB)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND
RECOMMENDATION

EMILY JOHNSON PIPER, *in their official*
& individual capacity, et al.,

Defendants.

The Court has received the May 16, 2023 Report and Recommendation of United States Magistrate Judge Leo I. Brisbois. (ECF No. 51.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 51) is ACCEPTED;
2. Defendants' Motion to Dismiss (ECF No. 25) is GRANTED IN PART and DENIED IN PART, as set in the Report and Recommendation; and
3. Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 14, 2023

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge